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November 22, 1996

FEDERAL COMMUNICATIONS COMMISSION  
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Mr. William F. Caton  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

Re: Comments of Fouce Amusement Enterprises  
MM Docket No. 87-268

Dear Mr. Caton:

Enclosed is an original and 9 copies of comments in response to the Commission's Sixth Further Notice of Proposed Rule Making, In the Matter of Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service (FCC 93-317, released August 14, 1996).

Should there be any questions regarding this matter, please contact the undersigned.

Very truly yours,

  
David D. McCurdy

Enclosures

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**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of	)	
	)	
Advanced Television Systems	)	MM Docket No. 87-268
and Their Impact upon the	)	
Existing Television Broadcast	)	
Service	)	

**COMMENTS OF FOUCE AMUSEMENT ENTERPRISES**

Fouce Amusement Enterprises ("Fouce"), by its attorneys, hereby submits these comments in response to the Commission's Sixth Further Notice of Proposed Rule Making, ("Notice"), in the above-captioned proceeding. (FCC 96-317, released August 14, 1996). Fouce is the licensee of television station KRCA, Channel 62 ("KRCA"), which operates in the Los Angeles television market.

Fouce requests that the Commission assign KRCA's DTV channel based on the coordinates of Mount Wilson, the predominant television transmitter site serving the Los Angeles market, and not KRCA's present location on Sunset Ridge.<sup>1</sup> Fouce believes that application of the FCC's proposed "service area replication" approach for DTV channel assignments in the Los Angeles market would needlessly perpetuate undesirable and inefficient service areas based on

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<sup>1</sup> Fouce requests that its DTV allotment be assigned based on the following site information for Mount Wilson: Latitude 34-13-38 - Longitude 118-04-00. This location is 6135 feet above sea level and 3182 feet above average terrain. The antenna would be mounted at approximately 375 feet above ground.

obsolete UHF taboo restrictions. Adoption of the proposed policy would be shortsighted and without benefit to broadcasters or the public.

## **I. BACKGROUND**

KRCA transmitter is located on the Sunset Ridge Electronic Site in the Angeles National Forest. Due to the unique topography of the Los Angeles area, all television stations serving the market are located either on Sunset Ridge or another National Forest Service site known as Mount Wilson. KRCA is currently prevented from using Mount Wilson as a transmitter site because of the UHF "taboo" restrictions that impose minimum spacing requirements between certain television channels.

Of the two transmitter sites, Mount Wilson is by far the superior location from which to serve the Los Angeles market. Mount Wilson is currently home to the transmitters of 14 commercial stations, including all of the network stations, and two non-commercial stations. Sunset Ridge, in contrast, has only four UHF stations, including KRCA.

Mount Wilson has several significant advantages over Sunset Ridge as a television transmitter site for the Los Angeles area. Based on engineering studies KRCA and other stations have performed, a transmitter located there is able to reach almost one million more people than a similar transmitter on Sunset Ridge. Moreover, because the overwhelming majority of stations serving the Los Angeles market are located on Mount Wilson, viewers generally align their outside

antennas towards Mount Wilson and consequently away from Sunset Ridge. Finally, Mount Wilson offers much better physical amenities, including paved road access, water and sanitation facilities and a reliable power supply. Sunset Ridge, in contrast, is served by a single-lane dirt road, and has no sanitation facilities and an unreliable power supply.

**II. THE COMMISSION SHOULD ALLOCATE KRCA'S DTV CHANNEL BASED ON THE COORDINATES OF MOUNT WILSON, AND SHOULD NOT REPLICATE UNDESIRABLE SERVICE AREAS BASED ON OBSOLETE UHF TABOO RESTRICTIONS**

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The Notice proposes to adopt a service replication methodology for assigning DTV channels. Notice at ¶13. Using this approach, all DTV channels would be assigned based on the location of existing transmitter sites. The Commission seeks comment "regarding any circumstances where it might be desirable to evaluate DTV allotments on the basis of sites other than those occupied by existing TV stations." Id. at ¶56. KRCA believes that the Los Angeles market presents just such a circumstance.

KRCA's present transmitter location on Sunset Ridge is dictated by the UHF taboo restrictions and not because Sunset Ridge is the optimal site to serve KRCA's community of license, or the rest of the Los Angeles market. Significantly, the NTSC taboo restrictions that have heretofore prevented co-location of KRCA's transmitter on Mount Wilson do not apply to DTV channel assignments. Thus, the Commission has an important opportunity to improve

overall television service in the Los Angeles market, by adopting DTV allotments that permit co-location of all DTV channels on Mount Wilson.

The service replication approach would preclude KRCA from relocating its transmitter to Mount Wilson, and thus fails to take full advantage of the service-maximizing opportunities presented by DTV. As a general matter, there are very few television transmitter sites in and around Los Angeles. Most elevated land suitable for transmitters is controlled by the United States Government, and access for broadcasters is limited to a few established antenna farms. Of these antenna farms, Mount Wilson is unquestionably the superior location to serve the Los Angeles market. Mount Wilson, however, is more than three miles from KRCA's present transmitter site, and relocation would not be technically feasible under the Commission DTV relocation policies as currently proposed. Moreover, because of the crowded conditions in the Southern California market, negotiating an agreement to permit a relocation with all affected broadcasters is problematic.

The Commission identifies two related public interest benefits of the proposed service replication approach. First, that service replications permits continued service to a station's community of license, and second, that service replications will permit "stations to reach the audiences that they now serve." Id. at ¶13. The co-location of KRCA's transmitter on Mount Wilson will neither curtail service to its existing viewers nor reduce service to KRCA's community of license -- in fact, co-location will better serve these goals. Although Mount Wilson is somewhat further away from Riverside, California, KRCA's community of

license, its coverage studies indicate that relocation of KRCA's transmitter will actually result in much better service to both its existing viewers and its community of license.

Co-location of KRCA's DTV channel on Mount Wilson will have significant benefits for KRCA and other broadcasters. As the Commission recognizes, "co-location could provide broadcasters increased flexibility to share spectrum and develop multichannel programming services and may also encourage the development of alternative DTV transmission technologies." Notice at ¶48.

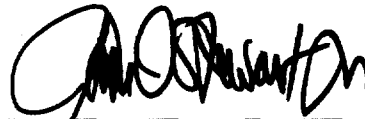
More importantly, co-locations will significantly benefit viewers. First, co-location will permit KRCA to extend its present service area and reach almost one million more viewers presently denied its signal because of terrain shadowing and other drawbacks of the Sunset Ridge transmitter site. Second, co-locations will eliminate reception problems currently caused by antenna misalignment. In order to receive the optimal picture for the vast majority of stations in the Los Angeles area, viewers must align their outside antennas toward Mount Wilson. As a result, antennas are not directed so as to receive signals from Sunset Ridge. This antenna alignment not only produces a reduced signal level for KRCA, but also ghosting and other reception headaches. Co-location of KRCA's transmitter on Mount Wilson would eliminate this problem.

## CONCLUSION

For the forgoing reasons, Fouce respectfully requests that the Commission provide a DTV allotment to KRCA based on the coordinates of the Mount Wilson transmitter site.

Respectfully submitted,

FOUCE AMUSEMENT  
ENTERPRISES



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Its Counsel

November 22, 1996